32692 Customer Number Patent Case No.: 56732US002

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 1 0 2004

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First Named Inventor:

MARTIN, PHILIP G.

Application No.:

09/989965

Group Art Unit:

3743

Filed:

November 21, 2001

Examiner:

Joseph F. Weiss Jr.

OFFICIAL

Title:

FILTERING FACE MASK THAT USES AN EXHALATION VALVE THAT HAS A

MULTI-LAYERED FLEXIBLE FI.AP

## NOTICE OF APPEAL PURSUANT TO 37 CFR § 1.191

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

ERTIFICATE OF TRANSMISSION

To Fax No.: 703-872-9306

I hereby certify that this correspondence is being facaimile transmitted the U.S. Patent

and Trademark Office on:

March 10, 2004 Date

Signed by: Sugan M. Dacko

Dear Sir:

An appeal is made to the Board of Patent Appeals and Interferences from the last decision of the Examiner dated December 10, 2003 rejecting claims 1-9, 11-52, and 54-98.

Please charge the fee provided in 37 CFR § 1.17(b), and if necessary, charge any additional fees, or credit any overpayment to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.

Respectfully submitted,

March 10, 2004

Date

Karl G. Hanson, Reg. No.: 32,900

Telephone No.: (651) 736-7776

Office of Intellectual Property Counsel 3M Innovative Properties Company Facsimile No.: 651-736-3833